

REMARKS

The Official Action of 12 February 2008 has been carefully considered and reconsideration of the application as amended is respectfully requested.

The Abstract has been rewritten to remove the basis for the objection appearing at paragraph 6 of the Official Action.

The claims have been amended to remove the basis for the provisional double patenting rejection over the claims of co-pending Application No. 10/951,446 (paragraph 8 of the Official Action), which rejection has been continued from the previous action. Applicants had previously traversed the rejection on the grounds that the claimed invention is based upon Applicants' realization that the recited dye of formula (1) **by itself** could provide the claimed ink composition with advantageous properties **without** the need for an additional dye. In contrast, the claims of the co-pending application **require** the additional inclusion of the dye of formula (2) and, optionally, the dye of formula (3).

The Examiner has agreed with the above, but points out that the claims in the present application contained the open-ended transitional "comprising", which leaves them open to the inclusion of other ingredients, including the additional dye of formula (2) (and optionally the dye of formula (3)). Applicants have now amended the claims to replace the "comprising" transitional with "consisting essentially of" so as to limit the

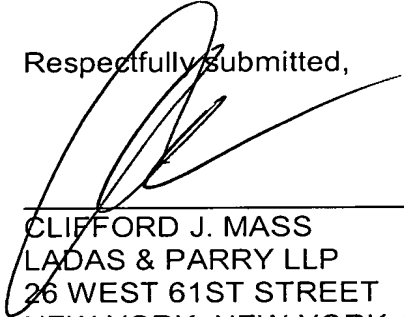
scope of the claims to the specified materials "and those that do not materially affect the basic and novel characteristic(s)" of the claimed invention. See MPEP 2111.03.

The basic and novel characteristics of the ink composition defined by the claims as amended include the characteristics of high reliability in terms of clogging resistance and light fastness, gas fastness and moisture resistance so long as (a) water, (b) a compound of formula (I) or a salt thereof and (c) an aromatic compound having a carboxyl group or a salt thereof are present in the ink composition (see specification at paragraphs [0007]-[0010]). In contrast, the claims of the co-pending application additionally **require** the dye of formula (2) and, optionally, the dye of formula (3). There is nothing in the claims of the co-pending application to show or suggest that an ink composition of the present application, consisting essentially of the claimed components (a), (b) and (c), would have the aforementioned advantageous properties. Conversely, there is nothing in the claims of the present application to show or suggest that the additional inclusion in the ink composition of the dye of formula (2) would result in an ink composition of even better light fastness and gas fastness or that the further inclusion of the dyes of formulae (2) and (3) would result in an ink composition of better light fastness, gas resistance, moisture resistance and color development.

Accordingly, Applicants respectfully submit that it would not have been obvious for one of skill in the art to modify the ink composition defined by the claims in the co-pending application to exclude the dye of formula (2). Similarly, it would not have been obvious that inclusion of the dye of formula (2) in the ink composition of the present claims would result in the improved properties discussed above. Accordingly, Applicants respectfully submit that the claims of the respective applications would not have been obvious from one another such that the provisional double patenting rejection should be withdrawn.

In view of the above, Applicants respectfully submit that all rejections and objections of record have been overcome and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



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